

REMARKS

Claims 1-72 are pending, Claims 66-72 having been withdrawn from consideration. An Office Action mailed July 18, 2007 objected to the specification and Claim 49 and rejected Claims 3, 5, 9-11, 16, 33-38, 46 and 49 under 35 U.S.C. § 112; Claims 1-6, 9-11, 15-22, 30-35, 37-46, 49, 51-57, 59-61 and 65 under 35 U.S.C. § 102 and Claims 7-8, 12-14, 23-29, 36, 47, 48, 50, 58 and 62-64 under 35 U.S.C. § 103. By way of this amendment, Applicant hereby amends Claims 1, 5-11, 13-18, 20, 24-27, 39-41, 43 and 45, cancels Claims 2, 3, 12, 23, 30-38 and 46-72 and adds new Claim 73. Pursuant to 37 C.F.R. § 1.111, Applicant hereby respectfully requests reconsideration of the application.

DECEMBER 11, 2007 INTERVIEW AND DEMONSTRATION

On December 11, 2007, the Inventor (Bruce Hall) and Applicant's representative (Michael Smith) had a personal interview with the Patent Examiner (Lun-See Lao). The Inventor discussed the existing prior art and performed a demonstration of the Inventor's invention for the Examiner and the handful of other patent examiners from the same art unit. The Inventor demonstrated some features of his subwoofer that the Inventor believes are novel and non-obvious over the existing art. After the demonstration, the Examiner and Applicant's Representative discussed clarifying the claims by amendment in order to more positively and definitely claim the subject matter which Applicant believes is unique and non-obvious. Some of the particular features that were discussed were as follows:

- a subwoofer speaker housing that includes a processor with the capability of generating and outputting a video signal of an audio signal received from an external source, such as a microphone;
- altering the claim that refers to the plurality of parameters in order to limit the plurality of parameters to those not taught in the cited references.

OBJECTION TO THE SPECIFICATION

The Office Action objected to the specification for failing to provide proper antecedent basis for the claimed subject matter (Claims 1, 3, 5, 9, 11, 16, 30, 33-38 and 46). Applicant hereby amends the noted claims in order to overcome this objection.

OBJECTION TO THE CLAIMS

The Office Action objected to Claim 49. By way of this Amendment, Applicant hereby cancels Claim 49 thereby rendering this objection moot.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Office Action rejected Claim 49 for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicant hereby cancels Claim 49, thereby rendering this rejection moot.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Office Action rejected Claims 3, 5, 9-11, 16, 33-38 and 46 for failing to comply with the enablement requirement. Applicant hereby amends or cancels the noted claims in order to overcome this rejection.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Office Action rejected Claims 1-6, 9-11, 15-22, 30-35, 37-46, 49, 51-57, 59-61 and 65 as being anticipated by *Emoto*. After the December 11, 2007 meeting with the Examiner, Applicant has decided to amend independent Claims 1, 16 and 39 to either include a subwoofer speaker housing or define the speaker unit as a subwoofer speaker unit. Therefore, Applicant will address the § 103 rejection as applied to Claim 23 below.

With regard to amended dependent Claims 20 and 43, Applicant submits that these claims are further allowable for the following additional reason. Applicant submits that *Emoto*

fails to teach or suggest that the graphical user interface includes an eight band parametric equalizer limited to subwoofer frequency bands. *Emoto* discloses an equalizer (Fig. 3), but makes no mention of a parametric equalizer, therefore one of ordinary skill would assume this to be a standard equalizer. Therefore, Applicant submits that amended dependent Claims 20 and 43 are allowable for this additional reason.

REJECTION OF CLAIMS 23-26 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 23-26 as being unpatentable over *Emoto* in view of *Bull*. The Office Action states that with respect to Claim 23, *Emoto* does not explicitly teach that the speaker apparatus further comprises the housing configured to include the at least one speaker and the processor. However, *Bull* teaches that the speaker apparatus further comprises a housing configured to include the at least one speaker and the processor (FIGURE 1, col. 3, line 53-col. 4, line 29). The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of *Bull* with *Emoto* so that the acoustic characteristic correction device could have been more convenient for the user to carry and save space. With regard to amended independent Claims 1, 16 and 39, Applicant respectfully traverses this rejection.

Applicant submits that *Bull* discloses a computer system 10 having a CPU box 12 that includes an integral woofer or subwoofer apparatus 22 found within the box 12. Also attached to the CPU box 12 is a pair of speakers 20. It is clear that the CPU of the CPU box 12 receives a sound signal and processes that signal for both the subwoofer 22 and the pair of speakers 20. Therefore, Applicant submits that the cited portions of *Bull* fail to teach or suggest that the processor that is within the subwoofer speaker housing with the subwoofer speaker processes the received sound signal based on *only* a plurality of adjustable subwoofer parameters and outputs the processed second sound signal to the subwoofer speaker. Therefore, Applicant submits that *Emoto* and *Bull*, alone or in combination, fail to teach or suggested the claimed invention.

Therefore, Applicant submits that amended independent Claims 1, 16 and 39 are allowable over the cited reference.

Because Claims 4, 6-11, 13-15, 17-22, 24-29, 40-45 and 73 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

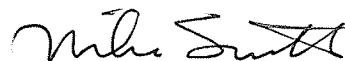
With regard to dependent Claims 22 and 45, Applicant submits that these claims are further allowable for the following additional reason. The Office Action rejected original dependent Claims 22 and 45 as being anticipated by *Emoto*. With regard to amended dependent Claims 22 and 45, Applicant respectfully traverses this rejection. Applicant submits that *Emoto* allows an operator to set a correction frequency range (FIGURE 3; col. 13, lines 42-64). *Emoto* also discloses device 10 (FIGURE 2) is used as an equalizer as shown in FIGURE 4 (col. 14, lines 23-31). It appears from the cited location of *Emoto* that *Emoto* fails to teach or suggest that the plurality of subwoofer parameters include low pass cross-over frequency, low pass cross-over slope, subsonic frequency, subsonic slope, phase and polarity. Therefore, Applicant submits that dependent Claims 22 and 45 are allowable for this additional reason.

CONCLUSION

Applicant believes that the Claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Michael S. Smith
Registration No. 39,563
Dial: 206.381.3300


25315

CUSTOMER NUMBER

- 12 -

VELO-1-1001ROA

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301